



March 14, 2013

COMPLIANCE ADVISORY

Portable Diesel Engines Operating without Authority to Operate

Portable diesel engines rated at 50 horsepower (hp) or more cannot be operated in San Diego County unless an authority to operate (a permit or registration) has been obtained from the California Air Resources Board (CARB) Portable Equipment Registration Program (PERP) or the County of San Diego Air Pollution Control District (District).

Unregistered portable diesel engines that are certified as Tier 1, 2 or 3 cannot currently be registered in the PERP program; only portable diesel engines certified as Interim Tier 4 or higher can now obtain a PERP registration (beginning July 1, 2013, engines less than 75 hp must be final Tier 4 to be registered in PERP).

The District, however, has determined that it will allow diesel engines certified as Tier 1, 2 or 3 to be registered under certain conditions. The engine(s) could then operate until the CARB Fleet Averaging standards are no longer met. Attached is a flyer regarding fleet averaging. (Further information on fleet averaging is available at <http://www.arb.ca.gov/portable/portable2.htm>).

Pursuant to the California Airborne Toxics Control Measure (ATCM) for portable diesel engines, the District has decided to allow registration of no more than three unregistered portable diesel engines owned by a business subject to the following terms:

1. The engine(s) must have been operated in San Diego County sometime between January 1, 2008 and December 31, 2010;
2. More than 50% of the operating hours for each engine during the period between January 1, 2008 and December 31, 2010, must have occurred in San Diego County;
3. The engine(s) must meet the fleet averaging requirements of the ATCM for portable diesel engines (see the attached advisory); and,
4. You must enter into a compliance agreement, which will require the following:
 - a. Within one month of the date the compliance agreement is executed, you must submit an application to register any engine you wish to continue operating; and,
 - b. You must pay a civil penalty of \$2,004 per engine.

In addition to the civil penalty, the application fee for each engine is \$775 for the first engine and \$659 for each additional engine. The District will accept applications for registration (accompanied with a

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compliance agreement) until June 1, 2013. If a compliance agreement is not executed and an application is not submitted prior to June 1, 2013, the civil penalty listed above (\$2,004) may increase, or the engine may no longer be allowed to operate in San Diego County.

Prior to contacting the District, please obtain as much information about the engine as possible, such as the EPA family name, serial number, hp rating, make, and model year of the engine you are inquiring about.

Please note that if you have an engine operating as part of the primary ongoing activity at a stationary source, you may need to apply for a stationary permit with the District. The District has previously posted an advisory discussing this scenario and other allowable uses of portable equipment at <http://www.sdapcd.org/permits/Portable.pdf>.

To contact the District about an unpermitted/unregistered Tier 1, 2 or 3 portable diesel engine, please contact Joseph Zechman at (858) 586-2658 or by e-mail at joseph.zechman@sdcounty.ca.gov.

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Attachment